

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VIESTE, LLC, et al.,

Plaintiffs,

No. C 09-04024 JSW

v.

HILL REDWOOD DEVELOPMENT, LTD.,
et al.,

Defendants.

**ORDER (1) SETTING BRIEFING
SCHEDULE REGARDING
PLAINTIFFS' MOTION TO FILE
A SECOND AMENDED
COMPLAINT AND (2)
CONTINUING HEARING**

This matter is set for a hearing on July 16, 2010 on Plaintiffs' motion to file a second amended complaint. The Court HEREBY ORDERS that an opposition to the motion shall be filed by no later than June 17, 2010 and a reply brief, if any, shall be filed by no later than June 24, 2010. The Court FURTHER ORDERS that the hearing on Plaintiffs' motion (1) strike Defendants' affirmative defenses; (2) dismiss Defendants' counterclaim; and (3) strike prayer for punitive damages is CONTINUED to July 16, 2010.

If the Court determines that these matters are suitable for resolution without oral argument, it will so advise the parties in advance of the hearing date. If the parties wish to modify this schedule, they may submit for the Court's consideration a stipulation and proposed order demonstrating good cause for any modification requested.

IT IS SO ORDERED.

Dated: June 3, 2010


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE